

MESSAGE NO: 8311207 MESSAGE DATE: 11/06/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-891

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/24/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR THE ANTIDUMPING SCOPE RULING ON HAND TRUCKS AND CERTAIN PARTS FROM CHINA FOR ARDISAM YUKON FOLDING SPORTSMAN CART (A-570-891)

MESSAGE NO: 8311207

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CASES: A - 570 - 891

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PERIOD COVERED: 05 24 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE ANTIDUMPING SCOPE RULING ON HAND TRUCKS AND CERTAIN PARTS FROM CHINA FOR ARDISAM YUKON FOLDING SPORTSMAN CART (A-570-891)

1. THE DEPARTMENT RECEIVED A SCOPE RULING REQUEST FROM ARDISAM, INC. (ARDISAM). THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING ON 10/16/2008 THAT ARDISAM'S YUKON TRACK FOLDING SPORTSMAN'S CART, MODEL NO. AV125 (SPORTSMAN'S CART) IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC (A-570-891).

2. THE COMMERCE DEPARTMENT DETERMINED THAT ARDISAM'S

SPORTSMAN'S CART HAS NEITHER A PROJECTING EDGE NOR A TOE PLATE WHICH CAN SLIDE UNDER A LOAD FOR PURPOSES OF LIFTING AND/OR MOVING THE LOAD. RATHER THE LOAD (TYPICALLY DEER OR OTHER LARGE GAME TAKEN IN THE FIELD) MUST BE MANUALLY LIFTED OR HOISTED ONTO THE CART. THEREFORE, ARDISAM'S SPORTSMAN'S CART MODEL NO. AV125, IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC.

3. EFFECTIVE 10/16/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004 OF ARDISAM'S SPORTSMAN'S CART LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO ARDISAM'S SPORTSMAN'S CART MODEL NO. AV125 LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THAT ARDISAM'S SPORTSMAN'S CART MODEL NO. AV125 ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF HAND TRUCKS AND CERTAIN PARTS THEREOF SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:DC)

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party